

The Common Council met immediately following the Water Utility Board on the above date in the Meeting Room at City Hall Annex with Mayor Knowles presiding and members Askren, Tucker, Angel and Cooper attending. Councilman Rueger was not present. Others attending were Attorney Funkhouser; Comm. Gray; Chief Beloit; Chief Webber; Alice Zenthoefer; Shanna Bergstrom; Marilyn Wallis; Jim Swinney - Posey County Co-Op; Vicki Cannato; Sis Claxton; Ann Blackburn; Randy Stapp; Beth Foster - Mount Vernon Democrat; and Jamie Grabert - Posey County News.

Mayor Knowles called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. She added if not, she entertains a motion to waive their reading and to approve the minutes as presented.

Councilman Cooper moved the reading of the minutes be waived and they be approved as presented. Seconded by Councilwoman Askren.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

Mayor Knowles reminded the Audience that the meeting will be conducted according to Robert's Rules of Order and anyone wishing to address the Council should approach the podium and state their name and nature of their business.

Mayor Knowles stated they will now hear the reports of the Standing Committees.

Street & Light Chairwoman Askren stated she has no report.

Comm. Gray stated he has no report.

Mayor Knowles asked if there were any questions.

There were none.

Police & Dog Chairman Tucker stated he has no report.

Chief Beloit reported he has been in contact with both local wrecker services and each indicated they were concerned over the city's abandoned vehicle fees. He stated they are asking that the fees be brought up to speed as in \$40 for the tow and \$10 for a daily storage fee.

Councilwoman Askren asked what others in the area charge ?

Chief Beloit replied he is not sure.

Mayor Knowles asked if the recommended charges are normal for a tow bill ?

Chief Beloit yes and added that is where the figures came from and he feels they are reasonable.

Councilman Cooper stated those are the only tow services offered in the city and if that is

what they charge, that is what should be charged in the case of abandoned vehicles. He then asked if the city ordinance on abandoned vehicles be changed annually or so to reflect the changes in towing service charges ?

Attorney Funkhouser replied that when someone is being towed, they know the fee before hand.

Chief Beloit agreed.

Mayor Knowles stated they can not take the city out of it.

Attorney Funkhouser stated that is correct - due process.

Councilman Tucker stated most folks that own a vehicle that has been tagged as abandoned are glad to be rid of the vehicle.

Chief Beloit added that neither wrecker service charges the city for the abandoned vehicles they pick up.

Councilman Cooper moved Attorney Funkhouser draft an amendment to the abandoned vehicle ordinance to reflect the new \$40.00 towing fee and the \$10.00 daily storage fee. Seconded by Councilwoman Askren.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

Mayor Knowles asked if there were any questions ?

There were none.

Fire Chairman Rueger was not present.

Chief Webber stated he has no report.

Mayor Knowles asked if there were any questions ?

There were none.

Sewer Chairman Angel stated he has no report.

Mayor Knowles asked if there were any questions ?

There were none.

Mayor Knowles stated they have the Financial Report for May before them and any questions could be directed to Clerk-Treasurer Wolfe.

Mayor Knowles asked if the Clerk-Treasurer had any Communications for the Council ?

Clerk-Treasurer Wolfe replied not at this time.

Mayor Knowles stated the first item on the Legal portion of the Agenda is a Public Hearing

advertised for 7:00, which it is now 8:12, for a request to vacate park of Ohio Street.

Attorney Funkhouser stated this part of Ohio Street was never constructed and the owners are requesting that it be removed from the plat maps. He added he has no problem with the request and it was noticed properly in the newspaper.

Mayor Knowles asked if anyone in the Audience wished to address the Council on the Public Hearing for the vacation of Ohio Street ? There was no response.

Councilwoman Askren moved ordinance to vacate be passed on first reading. Seconded by Councilman Angel.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - absent;

Angel - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Councilwoman Askren moved the rules be suspended. Seconded by Councilman Cooper.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - absent;

Angel - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Councilman Angel moved ordinance to vacate be passed on second and third readings. Seconded by Councilman Cooper.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - absent;

Angel - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Clerk-Treasurer Wolfe added it will be numbered 05-14.

Mayor Knowles then stated the Public Hearing is now closed.

Mayor Knowles stated the next item is an ordinance to amend Schedule VI, Handicapped

parking of Chapter 75: Parking Schedules of the Mt. Vernon Code of Ordinances relative to a request by the American Legion at a previous meeting.

Councilman Cooper moved ordinance pass first reading. Seconded by Councilman Angel.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - absent;

Angel - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Councilman Cooper moved the rules be suspended. Seconded by Councilwoman Askren.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - absent;

Angel - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Councilman Angel moved the ordinance pass on second and third readings. Seconded by Councilman Cooper.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - absent;

Angel - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Clerk-Treasurer Wolfe added it will be numbered 05-15.

Mayor Knowles stated the next item is establishing the City of Mount Vernon Levy Excess Fund for 2005.

Clerk-Treasurer Wolfe added this is being mandated by the Department of Local Government Finance who indicated a levy excess in the Park & Rec Fund. She added \$12,436.00 needs to be placed into the fund until January, at which time, it may be placed back into the Park & Recreation Fund.

Councilman Cooper moved ordinance pass on first reading. Seconded by Councilman Angel.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - absent;

Angel - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Councilman Angel moved the rules be suspended. Seconded by Councilman Cooper.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - absent;

Angel - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Councilman Cooper moved the ordinance pass on second and third readings. Seconded by Councilwoman Askren.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - absent;

Angel - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Clerk-Treasurer Wolfe added it will be numbered 05-16.

Mayor Knowles stated the next item is Alice Zenthoefer with a request for a stop sign.

Ms. Zenthoefer stated she is the apartment manager for Green Valley Apartments and she is requesting a stop sign at Harrison Drive and Davis Drive. She added she tried to put one up herself as this intersection is an accident waiting to happen. She also stated she has talked with Chief Beloit and after that realized that if she put it up herself, and not the city, no one would really have to stop. She added she also realizes that it is a private drive, but it is also a safety issue.

Attorney Funkhouser agreed that one street was a private drive, but the other is a public street. He added because of that, he does not have a ready answer, he will have to do some checking.

Councilwoman Askren questioned Arby's having a stop sign on private property.

Attorney Funkhouser agreed that was true.

Councilman Tucker stated there is a state law that gives cities and towns the right to enforce stop signs in parking lots, etc., if they enter an agreement to do so.

Attorney Funkhouser stated he will look into it.

Mayor Knowles suggested they table the issue for now.

Councilman Cooper moved action be tabled until Attorney Funkhouser can check into the legalities of the request. Seconded by Councilwoman Askren.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

Mayor Knowles stated the next item is a joint Resolution by the Board of Commissioners of the County of Posey and the Common Council of the City of Mount Vernon urging the Indiana Bureau of Motor Vehicles (BMV) to continue Operation of the Mount Vernon License Branch.

Discussion followed concerning Mount Vernon being the County seat with a bigger population than Poseyville and how this would cause yet another vacant building in the downtown area. Mayor Knowles then brought up that in the long run, it could even effect voter registration.

Councilwoman Askren moved the joint resolution to keep the Mount Vernon license branch open be approved. Seconded by Councilman Angel.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasure with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - absent;

Angel - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Clerk-Treasurer Wolfe added it will be numbered 05-17.

Mayor Knowles stated the next item is a Resolution authorizing the Transfer of Certain Funds from the Police Pension Drop Fund into the Police Pension Fund.

Clerk-Treasurer Wolfe added this was recommended the State Board of Accounts Field Examiners, who indicated a separate fund was not required.

Councilman Cooper moved Resolution to transfer the funds back into the Police Pension Fund be approved. Seconded by Councilman Angel.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - absent;

Angel - yes; Cooper - yes.

Mayor Knowles stated the motion carried.

Clerk-Treasurer Wolfe added it will be numbered 05-18.

Mayor Knowles stated the next item is a motion to rescind the two drop funds, as they are not needed, per Charlie Pride, State Board of Accounts.

Councilman Cooper moved Attorney Funkhouser be authorized to draw up the ordinance to rescind the two ordinances establishing the drop funds. Seconded by Councilwoman Askren.

Mayor Knowles requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren - yes; Tucker - yes; Rueger - absent;

Angel - yes; Cooper - yes.

Mayor Knowles stated the motion carried unanimously.

Councilman Tucker questioned if Mrs. Wallis, who is in the Audience, was going to get a chance to speak now ?

Mayor Knowles replied they are getting there and then asked if anyone in the Audience wished to address the Council ?

Mrs. Wallis stated she would like to request NO PARKING from her driveway south to the new mall on 4th Street. She added she lives in the 500 block of E. 3rd Street at Canal and her garage is on the alley, next to two restaurants. She added customers are parking in her driveway and she does not want the driveway blocked. She added she has counted the available parking spaces for the new mall, and there are over 106 spaces. She stated she understands semis making deliveries, etc., but she would like her driveway clear.

Mayor Knowles asked about DO NOT BLOCK DRIVE signs ?

Councilman Tucker stated her driveway is only partially concrete, the rest is grass, that could be part of the problem - people do not realize it is a driveway. He added she is talking about no parking from the east/west alley behind the south end of her garage, around 60 feet or so.

Councilwoman Askren asked if Chief Beloit has looked at the situation ?

Chief Beloit replied no but approached and looked at the pictures, he added another issue is there are no curbs there.

Comm. Gray suggested yellow lines be painted as well, that may help with the definition of

the driveway.

Councilman Tucker moved the street department measure, in the 300 block of E. Canal, south from the east/west alley to the pedestrian sign and that Attorney Funkhouser draft an ordinance to amend the parking schedules in the traffic code to include two parking spaces only in the 60-70 feet in question, with yellow lines to also be painted. Seconded by Councilman Angel.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried.

Councilman Angel also suggested that Mrs. Wallis use some grass/weed killer where the drive way is supposed to be until the ordinance can be passed and the markings can be put in place.

Mayor Knowles stated Jim Swinney is also in the Audience tonight.

Mr. Swinney stated he would like to approach the Council about, and sent them as well, a petition to vacate an alley south of their office building. He added he has some pictures and they have already been maintaining it for years. He stated they recently had a sewer problem and the co-op did dig it up and fix it themselves. He added they have no plans for the alley once vacated they would just like ownership for the future. He then stated they do plan to close the service station in the about 60 days, though they have no plans for that site either.

Councilman Cooper asked if it was originally an alley ?

Attorney Funkhouser replied yes, and added the co-op already owns on all sides of the alley. He added Mr. Swinney will pay the cost of the paperwork and petition, as well as notice in the newspaper.

Mr. Swinney agreed.

Attorney Funkhouser stated he can take care of the legal issues, if Mr. Swinney would agree.

Mr. Swinney agreed and added he would pay Attorney Funkhouser for his services.

Councilman Cooper moved Mr. Swinney be permitted to proceed with the process of vacation the alley, as requested and Attorney Funkhouser will see to the legal issues. Seconded by Councilman Angel.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

Mayor Knowles stated Mr. Randy Stapp is also in the Audience.

Mr. Stapp stated he is with the Lions Club and they would like permission to use the riverfront and Water Street between Main and College for their annual 4th of July Fireworks Celebration. He added they will need Water Street barricaded for the day and

he does have their certificate of insurance.

Councilman Tucker stated the Lions Club is a great organization and they provide a great service, and with that in mind, he moved permission be granted. Seconded by Councilwoman Askren.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

Mayor Knowles asked if there was any Old Business ?

There was none.

Mayor Knowles stated under New Business, she and Ms. Cannato have been in contact with the folks from the Delta Queen for months now, trying to get them to call back about potential dates for the Queen's docking in Mount Vernon. She added they finally did call back and they plan to visit on July 7, though no one can board the boat due to Homeland Security issues, unless they know someone on board and have been personally requested to do so. She added other potential dates are September 6th and the 22nd. She also stated that the Mississippi Queen will be here on the 26th of October.

Mayor Knowles stated they will now hear the reports of the Districts.

1st District Councilwoman Askren stated she has no report.

2nd District Councilman Tucker stated he had a complaint from a gentleman at IGA concerning mo-peds. He wondered if Chief Beloit could put something in the paper informing people on the laws for operation, the age limit, financial responsibility, etc. He added that most parents do not realize they are liable.

Chief Beloit stated he would be more than happy to do that.

Councilman Tucker then stated that Evansville is looking into making their laws more strict on mo-ped operation. He wondered if Attorney Funkhouser could get in touch with Evansville's city attorney on this ?

Attorney Funkhouser stated their ordinances are on-line, but he can still look into it.

Councilman Tucker stated if he has any questions, he can get in touch with Larry Williams at IGA.

Councilman Tucker continued his report by stating there was an accident at Southwind Plaza Drive, at the shopping center, where a lady actually hit the median and totaled her car. He wondered if the council or someone, could write a letter to the owner of the shopping center about upgrading or at least repainting the median.

3rd District Councilman Rueger was not present.

4th District Councilman Angel stated he has no report.

Councilman-at-Large Cooper stated he has no report.

Mayor Knowles stated she would like to discuss signs on poles.

Comm. Gray stated he has been complaints on yard sales signs on phone poles, and Vectren poles, as they actually belong to Vectren.

Attorney Funkhouser added that Evansville actually just dealt with this.

Mayor Knowles agreed.

Attorney Funkhouser stated it sounds like it could be Vectren's responsibility.

Mayor Knowles agreed, and added the City actually leases the poles from Vectren, but folks are still complaining and as soon as they are removed, they are replaced with others.

Attorney Funkhouser stated that also someone would have to be able to enforce it.

Mayor Knowles stated the code enforcement officer could do that.

Councilman Cooper asked that Attorney Funkhouser look into it and see what "can of worms" they can open up.

Attorney Funkhouser agreed.

Mayor Knowles stated if there were no further business, she entertains a motion to adjourn.

Councilman Cooper moved the meeting be adjourned. Seconded by Councilman Angel.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried and adjourned the meeting.

Rosemary L. Knowles

Mayor

ATTEST:

Cristi L. Wolfe

